

61. A method of delivering a substance selected from the group consisting of L-arginine and L-arginine derivatives, to skin comprising the step of topically applying to the skin a delivery vehicle for the substance, said delivery vehicle containing an effective amount of the substance of at least 0.25 % to 25% by weight within a packaging selected from the group consisting of a liposome, emulsion of collagen, or collagen peptides said packaging being at a concentration sufficient to create an hostile biophysical environment which causes the liposome to migrate from the delivery vehicle to the skin where the substance is released from the packaging and absorbed by tissue.

#### REMARKS

Claims 33, 42, 51 and 61 have been amended to overcome the cited rejections. The limitations are fully supported by the specification and no new matter has been added. The claims as amended more particularly point out what the applicant considers his invention and effectively overcome the cited art because each and every limitation is not taught or disclosed. In support of the applicant's assertion that the cited art does not provide the motivation to produce the instant invention is a declaration made by ERIC FOSSEL of the concentrations needed to provide an effective treatment. Furthermore these limitations have been introduced into the amended claims and therefore the applicant respectfully requests allowance of all claims.

MARKED UP CLAIMS

33. (Thrice Amended) A method of increasing localized bloodflow in tissues to increase growth rate and repair of cells by delivering a substance selected from the group consisting of L-arginine and L-arginine derivatives [hydrochloride, L-arginine glutamate, L-arginine butyrate, L-arginine glycolate, L-arginine ethyl , L-arginine methyl, L-arginine propyl, L-arginine butyl, L-arginine isobutyl, L-arginine t-butyl, L-arginine ethyl ester, L-arginine propyl ester, L-arginine isopropyl ester, L-arginine butyl ester, L-arginine isobutyl ester, L-arginine t-butyl ester, and mixtures thereof,] to skin comprising the step of : [topically] applying topically to the skin a delivery vehicle for the substance, said delivery vehicle containing an effective amount of the substance of at least 0.25 % to 25% by weight, and a concentration of an ionic salt sufficient to create a hostile biophysical environment wherein the ionic salt is selected from the group consisting of sodium chloride, choline chloride, potassium chloride, lithium chloride and magnesium chloride and mixtures thereof which causes the substance to migrate from the delivery vehicle to the skin where the substance is absorbed by tissue wherein the ionic salt is 0.25% to 25% by weight.

42. (Thrice Amended) A method of treating impotence in a male comprising:

delivering a substance selected from the group consisting of L-arginine and L-arginine derivatives [hydrochloride, L-arginine glutamate, L- arginine butyrate, L-arginine glycolate, L-arginine ethyl , L-arginine methyl, L-arginine propyl, L-arginine butyl, L-arginine isobutyl, and L-arginine t-butyl, L-arginine ethyl ester, L-arginine propyl ester, L-arginine isopropyl ester, L-arginine butyl ester, L-arginine isobutyl ester, L-arginine t-butyl ester, and mixtures thereof] to the penis by topically applying to the penis a delivery vehicle for the substance, said delivery vehicle containing an effective amount of the substance of at least 0.25 % to 25% by weight, and a concentration of ionic salt selected from the group consisting of sodium chloride, choline chloride potassium chloride, lithium chloride and magnesium chloride and mixtures thereof sufficient to create a hostile biophysical environment which causes the substance to migrate from the vehicle to the penis where the substance is absorbed by tissue wherein the ionic salt is 0.25% to 25% by weight.

51. (Thrice Amended) A method of promoting hair growth comprising:

delivering a substance selected from a [member of the] group consisting of L-arginine and L-arginine derivatives [hydrochloride, L-arginine glutamate, L- arginine butyrate, L-arginine glycolate, L-arginine ethyl, L-arginine methyl, L-arginine propyl, L-arginine butyl, L-arginine isobutyl, and L-arginine t-butyl,

L-arginine ethyl ester, L-arginine propyl ester, L-arginine isopropyl ester, L-arginine butyl ester, L-arginine isobutyl ester, L-arginine t-butyl ester, and mixtures thereof], wherein a selected area of the skin where hair growth is desired by topically applying to the selected area of skin where hair growth is desired a delivery vehicle for the substance, said delivery vehicle containing an effective amount of the substance of at least 0.25 % to 25% by weight, and a concentration of ionic salt selected from the group consisting of sodium chloride, choline chloride, potassium chloride, lithium chloride and magnesium chloride and mixtures thereof sufficient to create a hostile biophysical environment which causes the substance to migrate from the vehicle to the selected area of skin where the substance is absorbed by tissue wherein the ionic salt is 0.25% to 25% by weight..

61. (Thrice Amended) A method of delivering a substance selected from the group consisting of L-arginine and L-arginine derivatives [hydrochloride, L-arginine glutamate, L-arginine butyrate, L-arginine glycolate, L-arginine ethyl , L-arginine methyl, L-arginine propyl, L-arginine butyl, L-arginine isobutyl, and L-arginine t-butyl, L-arginine ethyl ester, L-arginine propyl ester, L-arginine isopropyl ester, L-arginine butyl ester, L-arginine isobutyl ester, L-arginine t-butyl ester, and mixtures thereof], to skin comprising the step of topically applying to the skin a delivery vehicle for the substance, said delivery vehicle

containing an effective amount of the substance of at least 0.25 % to 25% by weight within a packaging selected from the group consisting of a liposome, emulsion of collagen, or collagen peptides said packaging being at a concentration sufficient to create an hostile biophysical environment which causes the liposome to migrate from the delivery vehicle to the skin where the substance is released from the packaging and absorbed by tissue.

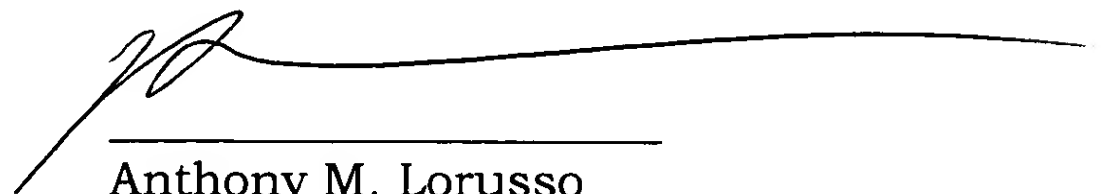
#### CONCLUSION

The applicant respectfully requests allowance of all claims, because the claims are not taught by the cited art either singly or in combination. Feel free to call collect with any questions regarding this submission

Dated December 19, 2001

Respectfully submitted,

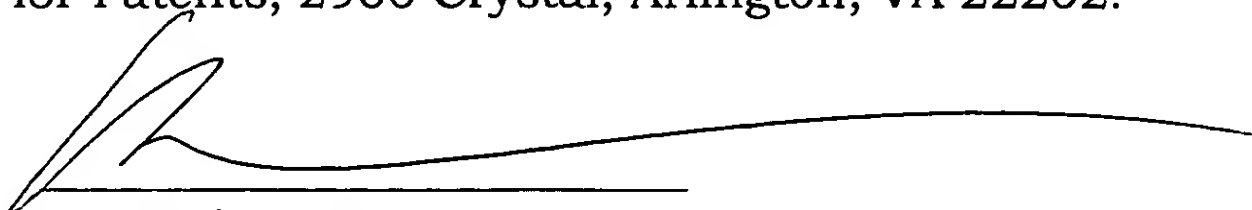
LORUSSO & LOUD



Anthony M. Lorusso  
Reg. No. 25, 059  
LORUSSO & LOUD  
440 Commercial Street  
Boston, MA 02109  
Tel.: (617) 227-0700  
Fax.: (617) 723-4609

**Certification Under 37 CFR § 1.10**

I hereby certify that this CPA with Preliminary Amendment and Response is being deposited with the United States Postal Service on 19 DEC 2001, with Express mail no. EL 813323655 US in an envelope addressed to : Box CPA, Assistant Commissioner for Patents, 2900 Crystal, Arlington, VA 22202.

A handwritten signature in dark ink, consisting of a stylized 'A' followed by a long, sweeping horizontal line that curves slightly upwards at the end.

Anthony M. Lorusso